

## **REMARKS**

The present Amendment is in response to the non-final Office Action mailed January 26, 2007. In the specification, paragraph [00108] has been amended to correct a minor typographical error. Claims 3, 5, 7 and 9-14 are withdrawn, claim 1 is amended, claims 15-22 are canceled, and new claims 23-37 are added. Support for the amendment can be found throughout Applicant's specification, and particularly at least at paragraphs [0023], [0085] and [0086], and in Figures 4A and 4B. Consequently, claims 1-14 and 23-37 are now pending in view of the above amendment.

Reconsideration of the application is respectfully requested in view of the above amendment to claim 1 and the following remarks. For the Examiner's convenience and reference, Applicant's remarks are presented in the order in which the corresponding issues were raised in the Office Action.

Please note that the following remarks are not intended to be an exhaustive enumeration of the distinctions between any cited references and the claimed invention. Rather, the distinctions identified and discussed below are presented solely by way of example to illustrate some of the differences between the claimed invention and the cited references. In addition, Applicant requests that the Examiner carefully review any references discussed below to ensure that Applicant's understanding and discussion of the references, if any, is consistent with the Examiner's understanding.

### **I. PRIOR ART REJECTIONS**

#### **A. Rejection Under 35 U.S.C. § 102(b)**

The Office Action rejected claims 1, 2, 4, 6 and 8 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,414,974 to *Russell, et al.* ("*Russell*"). Since *Russell* does not teach or suggest each and every element of the rejected and currently amended claims, Applicant respectfully traverses this rejection in view of the following remarks.

*Russell* teaches a method and a control circuit for controlling the extinction ratio of a laser diode, which includes altering a modulation current by a predetermined test amount or a predetermined correcting amount. *col. 2, ll. 63-67; col. 3, ll. 8-12.* *Russell* also teaches varying and altering a bias current by a predetermined correcting amount. *col. 3, ll. 29-39.*

In contrast, amended claim 1 recites a method "wherein the laser bias control scheme and/or the electrical modulation amplitude control scheme include a ramp function." (Emphasis

added). *Russell* does not teach that a laser bias and an electronic modulation amplitude are changed according to a control scheme that includes a ramp function. On the contrary, as stated previously, *Russell* teaches altering the bias current and modulation current by predetermined correcting amounts. This distinction is clearly shown by a comparison of Figures 5A-5C of the Applicant's specification with Figure 6 of *Russell*.

Therefore, Applicant respectfully submits that *Russell* fails to disclose a method as set forth in claim 1. As a result, the applicant respectfully requests that the rejection under 35 U.S.C. § 102(b) of claim 1 be withdrawn. Claims 2, 4, 6 and 8 depend from claim 1. Therefore the Applicant respectfully requests that the rejection of claims 2, 4, 6, and 8 be withdrawn at least for the same reasons as claim 1.

## **II. NEW CLAIMS**

Claims 23-37 have been added and depend from claim 1. As such, the Applicant respectfully requests that the rejection of claims 23-24 be withdrawn at least for the same reasons as claim 1.

**CONCLUSION**

In view of the foregoing, Applicant believes the claims as amended are in allowable form. In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, or which may be overcome by an Examiner's Amendment, the Examiner is requested to contact the undersigned attorney.

Dated this 26<sup>th</sup> day of June, 2007.

Respectfully submitted,

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